

RECEIVED
CENTRAL FAX CENTER
JUN 01 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of:)	
)	
Darren E. Pieczynski)	Group Art Unit: 3643
)	
Serial No. 10/066,267)	
)	
Filed: 02/02/2002)	Examiner: Rowan, Kurt
)	
For: Ice Fishing Tip-up Display)	
)	

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is responsive to the Office Action mailed April 15, 2005 and phone conference discussion with the examiner of May 4, 2005.

Claim 1 was rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Claim 1 recites the limitation "said flag arm position" in lines 5-6. There is insufficient antecedent basis for this limitation in the claim. The attached amended claims correct the insufficiencies of the limitation.

Claim 1 was rejected as being unpatentable over Muenchow in view of Eppley et al. The examiner states that Muenchow shows a reflective enclosure 25, 35. The applicant claims in Muenchow's specifications or claims is the word reflective stated. Per our phone conference and in the office action the examiner states that a lens is inherently reflective as with the example given of a car taillight lens. The applicant respectfully disagrees for two reasons. One, a car

AMENDMENT - Page 1

Please change the Claims to read as follows:

PROPOSED CLAIMS:

1. An ice fishing display device for use with an ice fishing tip-up with a base assembly and a tip-up flag arm mounted to the base assembly comprising:

a reflective enclosure containing a light source and a tiltable switch such that said light source is electrically connected to said tiltable switch, and said reflective enclosure can be seen by others when shined upon with lights to verify position of said flag arm;

a power source detachably mounted to the base assembly, wherein said power source includes a detachable connection to said light source; and

an electrical connection to said light source, tiltable switch and power source wherein conductors have connection to said flag arm with removable fasteners along the length of said flag arm,

whereby, when a fish strikes, said tip-up arm is released from a lowered position and said tiltable switch electrically connects to said power source to said enclosure so that said light source illuminates to signal a user of a fish strike.

2. An ice fishing display device for use with an ice fishing tip-up with a base assembly and a tip-up flag arm mounted to the base assembly comprising:

a reflective enclosure containing a light source and tiltable switch such that said light source is electrically connected to said tiltable switch, and said reflective enclosure can be seen by others when shined upon with lights to verify position of said flag arm;

a power source; and

AMENDMENT - Page 3

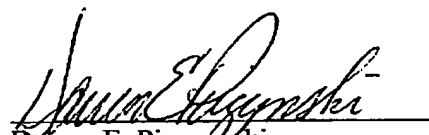
an electrical connection means to said light source, tiltable switch and power source within said reflective enclosure,

whereby when a fish strikes, said tip-up arm is released from a lowered position and said tiltable switch electrically connects to said power source to said enclosure so that said light source illuminates to signal a user of a fish strike.

The applicant requests consideration of the amendment to the Claims being submitted.

Dated: June 1, 2005

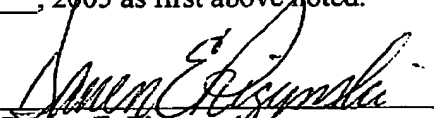
Respectfully submitted,


Darren E. Pieczynski,
Applicant

AMENDMENT - Page 4

CERTIFICATE OF FAXING

☒ I hereby certify that the above-noted paper is being faxed to United States Patent and Trademark general fax of 703-872-9306 on June 1, 2005 as first above noted.


Darren E. Pieczynski

AMENDMENT - Page 5